

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **October 14, 2003**

AGENDA ITEM NO.: 16

CONSENT:

REGULAR: **X**

CLOSED SESSION:

ACTION: **X**

INFORMATION:

(Confidential)

ITEM TITLE: **Connections to the City Water System**

RECOMMENDATION: Adopt the attached ordinance enacting changes in the City Code effective October 15, 2003 which require the connection of properties to the City's water supply system.

SUMMARY: Currently, the construction of wells to supplement or replace the City's water supply is not prohibited under City Code. As a result, this could potentially result in a significant financial impact to the City's Water Fund. The City has significant investment in the water system infrastructure to provide an adequate water supply to City customers. In the event that some customers reduce or eliminate water consumption where City water is available, the financial burden for this infrastructure is then redistributed among those remaining customers.

The Virginia Department of Health has also expressed concern that the City permits the installation of wells even in the event City water is available. It is staff's recommendation to enact an ordinance, which prohibits the installation of wells or alternative water supply facilities when city water lines are available for connection. Existing wells or alternative water supplies will still be permitted until such time as they dry up or otherwise become unusable.

Section 15.2-2143 of the State Code allows the City to require the "connection of premises with facilities provided for furnishing water."

PRIOR ACTION(S): None

FISCAL IMPACT: N/A

<u>CONTACT(S):</u>	Dan Sneed, Dir. Of Utilities	847-1322 (Ext. 107)
	Tim Mitchell, Asst. Dir. Of Utilities	847-1322 (Ext. 112)
	Bruce McNabb, Dir. Of Public Works	847-1823 (Ext. 268)

ATTACHMENT(S): Ordinance

REVIEWED BY: lkp

ORDINANCE

AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981, BY ADDING THERETO A NEW SECTION NUMBERED 39-17, RELATING TO CONNECTIONS TO THE CITY'S WATER SYSTEM.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted by adding thereto Section 39-17 as follows:

Sec. 39-17. Required connection with city's water supply system.

Pursuant to the authority granted to the city by Section 15.2-2143 of the Code of Virginia the city does hereby adopt the following section requiring the connection of properties to the city's water supply system.

(a) Effective October 15, 2003, the owner or tenant of any piece of property located within the city and bordering upon a street or alley along which a public water line has been laid, and whose property is in need of water service shall connect their property to the public water line. It shall be unlawful for the owner or tenant to use private wells or any other alternative water supply facilities when city water lines are available for connection. It shall also be unlawful for any owner or tenant whose property is connected to the city's water lines to disconnect the property from the city's water lines and connect the property to a private well or other alternative water supply facility.

(b) Effective October 15, 2003, the owner or tenant of any piece of property located within the city and bordering upon a street or alley along which a public water line has been laid, and whose property is connected to a private well or other alternative water supply facility, shall connect their property to the public water line when the well or other alternative water supply facility dries up or otherwise becomes unusable.

(c) The owner or tenant of any property which is required to be connected to the city's water system shall see that water from the city's system is connected to the property and not cut off from the city's water system at any time, except for necessary repairs, while such property is being occupied or used. The owner or tenant of the property shall cause the water bill for the use of water to be paid to the city when due. No person shall occupy or use any property which is required to be connected to the city's water system, if the property is not connected to, or is cut off from, the city's water system, except when necessary for repairs.

(d) Any person, firm, partnership, corporation or other legal entity that violates any of the provisions of this section shall be guilty of a class 1 misdemeanor. Each day such violation continues shall constitute a separate offense.

2. That this ordinance shall become effective upon its adoption.

Adopted:

Certified:

Clerk of Council

173LOrd